

Wednesday, September 28th, 2022

Duffy called the meeting to order at 8:30 a.m. with Duffy, Zinnel & Kretzinger present. Kretzinger moved Zinnel seconded the motion to approve September 21st, 2022 minutes. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to approve agenda as posted. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to accept resignation from Arlo Starbuck, Landfill Recycling Transfer Station effective October 28, 2022. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to approve of amended status sheet for Guy Hay, Landfill Equipment Operator at \$21.19 per hour effective August 15, 2022. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to approve of end of assignment for Myron Carpenter, Secondary Roads Seasonal Temp effective September 30, 2022. All ayes. Motion carried.

Kretzinger moved Zinnel seconded motion to approve signing Website Photography Contract With Melissa Bell Photography. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to approve signing Professional Services Agreement with WHKS & Co. for Interim Boone County Engineer Services. All ayes. Motion carried.

Kretzinger moved Zinnel seconded motion to approve secondary road claims #26885 to #26904 and other county claims #167649 to #167724 totaling \$259,041.76 and issuance of warrants #72115 to #72201 in payment of the same. All ayes. Motion carried.

Kretzinger moved Zinnel seconded motion to approve drainage claim #926 totaling \$5,886.52 and issuance of drainage warrant #1144 in payment of the same. All ayes. Motion carried.

Nathan Ross, Assistant County Engineer gave a Departmental Update.

Kretzinger moved Zinnel seconded motion to adopting Resolution 22-26, To Authorize Nathan Ross, Assistant County Engineer, to Sign Contracts for Bridge Replacement Project on X Avenue, over Onion Creek for \$548,128.70 to Herberger Construction. All ayes. Motion carried.

RESOLUTION 22-26

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the Bridge Replacement, hereafter referred to as "the project" is in the best interest of Boone County, Iowa, and the residents thereof. The project is defined as Bridge Replacement on X Ave, over Onion Creek; and **WHEREAS**, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Boone County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Herberger Construction Co., Inc. in the amount of \$548,128.70 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Boone County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Nathan Ross, the Assistant County Engineer for Boone County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Dated at Boone, Iowa, this 28 day of September, 2022.

Kretzinger moved Zinnel seconded motion to approve signing Preconstruction Agreement with Iowa DOT for Project No. NHSN-030-4(93)—2R-08. All ayes. Motion carried.

Zinnel moved Kretzinger seconded motion to approve signing Joint Public Service Maintenance Agreement Between Boone County and The City of Boone. All ayes. Motion carried.

Zinnel moved Kretzinger seconded the motion to set 10:00 a.m. on October 12, 2022 as the date and time for Public Hearing to Vacate Union Pacific RR Crossing on R Ave. All ayes. Motion carried.

Kretzinger moved Zinnel seconded the motion to set 10:05 a.m. on October 12, 2022 as the date and time for Public Hearing to Vacate Union Pacific RR Crossing on Quartz Avenue. All ayes. Motion carried.

Zinnel moved Kretzinger seconded the motion to set 10:15 a.m. on October 12, 2022 as the date and time for Public Hearing to Vacate Alleyway in Block 13 in the Town of Moingona. All ayes. Motion carried.

John Roosa, Landfill Administrator gave a Departmental Update.

Eric Sloan, IT Director & Penny Vossler, GIS Coordinator each gave a Departmental Update.

Stacy Tharp, Human Resources Director gave a Departmental Update.

Leon Wuebker was present to discuss Drainage Concerns.

Vicious Animal Hearing Pursuant to Boone County Ordinance 36 Section 7 was held, with the following in attendance- Matt Speers, County Attorney, Vanessa Heenan, Humane Society, Erica & Jesse Peterson (dog owners), Katherine Flickinger (Peterson's attorney), Nicole Kennedy (victim), Nathan Lease (witness).

Zinnel moved Kretzinger seconded motion to adopt Resolution 22-27, the dog in question deemed as vicious and ordered to euthanize within 20 days of findings or file for an appeal. All ayes. Motion carried.

RESOLUTION NO. 22-27

WHEREAS, on September 28, 2022, the Board of Supervisors of Boone County conducted a hearing as to whether or not an Australian Shephard dog, owned by Erika Peterson, falls within the Boone County Ordinance Chapter 36, as a "vicious animal."

WHEREAS, prior to the hearing Ms. Peterson was served with appropriate notice under the Ordinance Ch. 36, Sec. 7;

WHEREAS, the Board finds the facts as follows:

On or about September 12, 2022, an Australian Shepherd dog was running at large on the property of Erika Peterson at 550 Q Ave., Boone County, Iowa. Nicole Kennedy was lawfully on the property to deliver a package. That the dog, bit or attacked Nicole Kennedy and was not provoked while the dog was running at large. The bite and/or attack caused Nicole Kennedy injuries.

WHEREAS, based on the facts presented, the Board finds that the dog meets the Ordinance definitions of "Dangerous Animal" pursuant to Ordinance 36, Section 2, Sub.3 and the definition of "Vicious Animal" pursuant to Ordinance 36, Section 2, Sub. 8.

WHEREAS, the Boone County Board of Supervisors ORDERS as follows:

1. That Erika Peterson is ordered to euthanize the identified dog, Australian Shephard that bit or attacked Nicole Kennedy on or about September 12, 2022, in the County of Boone.
2. If Erika Peterson refused to cause the animal to be euthanized she shall permit the County to do so.
3. Erika Peterson has 20 days from the date of service of this Resolution upon her, to appeal the Board's decision to the Iowa District Court for Boone County.
4. That, if after 20 days from the date of service of this Resolution upon Erika Peterson, if no appeal is filed, an animal control officer is authorized to seize and euthanize the animal without further order or resolution of this Board.
5. That, during the pendency of any appeal or until such time as the animal is euthanized, Erika Peterson is ordered to secure the animal in a structure or fixed enclosure at all times.

WHEREAS, the Board adopted this Resolution on this date and provided a copy to Erika Peterson, satisfying the service of notice requirement.

Adopted by the BOONE County Board of Supervisors this 28th day of September, 2022.

Kretzinger moved Zinnel seconded motion to adjourn the meeting. All ayes. Motion carried.

Duffy adjourned the meeting at 12:30 p.m.

Approved this 5th day of October, 2022.

Attest:

Diane R. Patrick, County Auditor

Boone County Claims Listing for September 28, 2022

General Basic Fund Garden & Lawn

| | |
|--------------------------|--------|
| Boone Ace Hardware | 95.97 |
| Stephanie Hinderaker | 257.00 |
| R & W Power | 43.99 |
| Elec.Apparatus & Access. | |
| P.Q.L. Inc | 776.26 |
| Zoro Tools Inc | 40.70 |

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| Custodial Supplies | |
| Central Iowa Distributing | 462.00 |
| Hardware | |
| Boone Ace Hardware | 15.12 |
| Parts | |
| Menards - Ames | 55.13 |
| Stationery & Forms | |
| Amazon Capital Services | 5.99- |
| Minor Equip & Hand Tools | |
| Bomgaars | 36.10 |
| Boone Ace Hardware | 34.96 |
| Wearing Apparel & Uniform | |
| Galls | 348.00 |
| D & E Related To Commitment | |
| Boone Co Sheriff | 33.63 |
| Utilities Payments | |
| City of Boone | 66.13 |
| HIRTA Bus | |
| HIRTA Public Transit | 3333.00 |
| Shelter Care | |
| The Crittenton Center | 746.40 |
| Foundation 2 | 1119.60 |
| Lutheran Services | 699.75 |
| Postage & Mailing | |
| Mail Services, LLC | 950.35 |
| Employee Mileage & Subsistence | |
| Lauren Novak | 110.00 |
| Melisa Stevens | 12.50 |
| Telephone Services | |
| Verizon Wireless | 1449.01 |
| Windstream | 759.77 |
| Accounting, Audit, & Cler.Serv | |
| Mail Services, LLC | 348.60 |
| Educational & Training Service | |
| Nathan L Benjamin | 88.84 |
| Galls | 364.00 |
| Stanard & Associates Inc | 83.50 |
| Legal & Court-Related Services | |
| Benton County Sheriff's Office | 50.00 |
| Polk Co Sheriff Civil Division | 53.75 |
| Sparks Law PLLC | 496.40 |
| Story Co Sheriff | 66.50 |
| Medical & Health Services | |
| Polk Co Medical Examiner | 469.54 |
| Water Use | |
| City of Boone | 530.84 |
| Miscellaneous Repair | |
| Menards - Ames | 17.60 |
| Cleaning & Sanitary | |
| Verizon Wireless | 113.91 |
| Agric/Hort. Services | |
| Portable Pro, Inc. | 90.00 |
| RFS Co | 180.00 |
| Other / Misc Expense | |
| Windstream | 2.84 |
| Investigation Expense | |
| Intoximeters, Inc. | 125.00 |
| Contract Services | |
| A & M Laundry, Inc | 130.05 |
| Dick's Fire Extinguisher | 819.65 |
| Summit Companies | 220.00 |
| Data Processing Equip. | |
| Amazon Capital Services | 51.00 |
| Motor Vehicle | |
| Electronic Engineering | 729.00 |

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| Keltek Incorporated | 5710.78 |
| Verizon Wireless | 521.50 |
| MH Subfund | |
| Salary-Regular Employees | |
| Kimberly Schomaker | 73.69 |
| Mental Health Advocates | |
| Verizon Wireless | 152.56 |
| MH-DD Services Fund | |
| Verizon Wireless | 50.88- |
| Telephone Services | |
| Verizon Wireless | 50.88- |
| Rural Serv Basic Fnd | |
| Windstream | 20.77 |
| Secondary Road Fund | |
| Culvert Material | |
| Bomgaars | 92.84 |
| Ubben Tiling Inc % Willie Ubbe | 1500.00 |
| Cover Aggregate & Sand | |
| Boxholm City Clerk | 388.85 |
| Teresa Davenport | 71.63 |
| Fraser City Clerk | 629.05 |
| Iowa State University | 750.00 |
| Martin Marietta Aggregates | 8852.18 |
| Pilot Mound City Clerk | 902.51 |
| Safety Items | |
| Safety X-Treme L.L.C. Paul C. | 1689.77 |
| Minor Mv Parts & Access | |
| Central Iowa Truck Repair | 118.17 |
| Fast Lane Motor Parts LLC | 514.60 |
| Iowa Dept of Transportation | 435.64 |
| Midwest Underground Supply, LLC | 297.14 |
| Jeffrey L. Van Pelt | 687.71 |
| Minor Equip & Hand Tools | |
| Bomgaars | 648.81 |
| Iowa Dept of Transportation | 442.95 |
| Snap-On Tools Michael Salati | 534.95 |
| Telephone Services | |
| Windstream | 136.12 |
| Electric Light & Power | |
| Alliant Energy | 82.30 |
| Water Use | |
| Xenia Rural Water District | 161.70 |
| MV Equip Rep Outside Serv | |
| Farley's Wholesale Tire & Lube | 45.50 |
| Jeffrey L. Van Pelt | 1105.00 |
| Buildings | |
| Bomgaars | 8.69 |
| Jail Commissary Fund | |
| Wearing Apparel & Uniform | |
| Stellar Services, LLC | 95.22 |
| MV Equip Rep Outside Serv | |
| Dick's Fire Extinguisher | 142.50 |
| E911 Surcharge | |
| Telephone Services | |
| CenturyLink | 106.57 |
| Minburn Telecommunications | 149.48 |
| Other Equipment/Radio, etc | |
| Motorola Solutions, Inc | 29749.09 |
| Emergency Management | |
| Utilities Payments | |
| City of Boone | 26.97 |
| Employee Mileage & Subsistence | |
| Intensitee, Inc | 30.00 |
| Telephone Services | |
| Windstream | 85.60 |

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| County Assessor Fund | |
| Employee Mileage & Subsistence | |
| Boone Co Treasurer | 65.01 |
| William P Overton | 82.50 |
| Telephone Services | |
| Windstream | 32.14 |
| Educational & Training Service | |
| William P Overton | 735.65 |
| Landfill Trust | |
| Ground Water Tax Expenses | |
| Moffitt's Ford | 1275.18 |
| Schupan & Sons Inc | 2127.40 |
| Landfill | |
| Operating Expense | |
| ADT Security Systems | 302.36 |
| Arnold Motor Supply | 593.98 |
| Bomgaars | 174.81 |
| Boone Ace Hardware | .70 |
| Capital One | 18.89 |
| Phelps The Uniform Specialists | 712.70 |
| Van Wall Equipment | 20892.55 |
| Telephone Services | |
| Midland Power Cooperative | 462.70 |
| Carrie R Self | 50.00 |
| Verizon Wireless | 40.01 |
| Windstream | 157.71 |
| Educational & Training Service | |
| A-Tec Recycling, Inc | 1161.38 |
| Wisecup Trucking | 275.00 |
| Operating & Cons Equip Rep | |
| Arnold Motor Supply | 69.87 |
| Van Wall Equipment | 1646.91 |
| Dues & Memberships | |
| Iowa Recycling Association | 175.00 |
| Health Ins Premium | |
| Payroll Holding Acct | |
| Boone Co Treasurer Midwest Gro | 441.31 |
| BC Treasurer / Flex Benefits | 213.80 |
| ISAC - Group Health Insurance | 151754.15 |
| Reliance Standard Life Ins Co | 2146.07 |
| Wellmark BlueCross/BlueShield | 104.50 |
| Grand Total | 259041.76 |